

REMARKS

Claims 32, 34-37 are pending in the application. Claims 32-37 were rejected under 35 U.S.C. §102(e), as described in paragraphs 4-7 of the Office Action. Claims 32 and 37 are the only independent claims.

The present invention is directed to a device and method for receiving and outputting multimedia data superposed on a broadcast wave. In accordance with the present invention, attribute information is included in the broadcast data but **management information is not included in the broadcast data**. After the broadcast data is received, the management information is generated such that the multimedia data and the attribute information are kept in association with one another. Accordingly, the attributes of the multimedia data can be determined by referring to the management information, without having to analyze the multimedia data itself.

Independent claim 32 requires, *inter alia*, “a storing unit operable to create and store management information for collectively managing the plurality of received multimedia data and attribute information which is included in the broadcast data and which corresponds to the respective received multimedia data, **the multimedia data and the attribute information being kept under management in association with each other**.” Further, independent claim 37 requires, *inter alia*, “creating and storing management information for collectively managing the plurality of received multimedia data and attribute information which is included in the broadcast data and which corresponds to the respective received multimedia data, **the multimedia data and the attribute information being kept under management in association with each other**.”

It is respectfully submitted that Hartson et al. (Hartson) fails to teach the above-identified limitations.

Hartson is directed to a device for receiving and outputting multimedia data superposed on a broadcast wave. The management information in Hartson, which is HTML data as a component of the Web, **is also included in the broadcast data**. The attribute information in Hartson is the HTML menu and selection information for hyper links. One of skill in the art would understand, from column 7, lines 12-25 of Hartson, that the menu and the hyperlink, as the attribute information, are edited after the broadcast data is received.

In other words, in the present invention, multimedia data and attribute information is received, and management information is created such that the multimedia data and attribute information is kept under management with one another. On the contrary, in Hartson, management information is received, and attribute information is subsequently edited.

Hartson fails to teach or suggest: a storing unit operable to create and store management information for collectively managing a plurality of received multimedia data and attribute information which is included in broadcast data and which corresponds to the respective received multimedia data, the multimedia data and the attribute information being kept under management in association with each other, as required in claim 32; or creating and storing management information for collectively managing a plurality of received multimedia data and attribute information which is included in broadcast data and which corresponds to the respective received multimedia data, the multimedia data and the attribute information being kept under management in association with each other, as required in claim 37.

As anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed in a prior art reference, *Akzo N.V. v. U.S. Int'l Trade Commission*, 808 F.2d 1471 (Fed. Cir. 1986), based on the foregoing, it is clear that Hartson does not anticipate claims 32 or 37.


In view of the above remarks, Applicants respectfully submit that claims 32 and 37 are not anticipated by Hartson, and urge that the rejection of claims 32 and 37, and dependent claims 34-36, under 35 U.S.C. § 102(e), be withdrawn.

Having fully and completely responded to the Office Action, Applicants submit that all of the claims are now in condition for allowance, an indication of which is respectfully solicited.

If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

Respectfully submitted,

Eiji UEDA et al.

By: 
Thomas D. Robbins
Registration No. 43,369
Attorney for Applicants

TDR/jlg
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
July 20, 2004